

I assent.

(L.S.)

**MARIE LOUISE
COLEIRO PRECA
President**

19th December, 2014

ACT No. XLI of 2014

AN ACT to amend the Lotteries and Other Games Act, Cap. 438.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

1. The short title of this Act is the Lotteries and Other Games (Amendment) Act, 2014 and this Act shall be read and construed as one with the Lotteries and Other Games Act, hereinafter referred to as "the principal Act". Short title.
Cap. 438.
2. In the long title of the principal Act, for the words "Lotteries and Gaming Authority", there shall be substituted the words "Malta Gaming Authority". Amendment of
the long title of
the principal
Act.
3. In the heading of Part IV within the "Arrangement of Act" of the principal Act, for the words "Lotteries and Gaming Authority", there shall be substituted the words "Malta Gaming Authority". Amendment of
the
Arrangement of
Act of the
principal Act.
4. Article 2 of the principal Act shall be amended as follows: Amendment of
article 2 of the
principal Act.
 - (a) in subarticle (1) thereof, for the definition "Authority" there shall be substituted the following:

" "Authority" means the Malta Gaming Authority established under article 9;"
 - (b) in subarticle (1) thereof, for the definition "Minister" there shall be substituted the following:

" "Minister" means the Minister responsible for

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the Malta Gaming Authority;"; and

(c) immediately after subarticle (3) thereof there shall be added the following new subarticle:

"(4) Any reference in any law or private contract or any other legal instrument or document whatsoever, be it domestic, foreign or international, to the Lotteries and Gaming Authority shall be construed as a reference to the Malta Gaming Authority."

Amendment of the heading of Part IV of the principal Act.

5. In the heading of Part IV of the principal Act immediately following article 8, for the words "Lotteries and Gaming Authority", there shall be substituted the words "Malta Gaming Authority".

Amendment of article 9 of the principal Act.

6. Article 9 of the principal Act shall be amended as follows:

(a) in the marginal note thereof, for the words "Lotteries and Gaming Authority", there shall be substituted the words "Malta Gaming Authority"; and

(b) in subarticle (1) thereof, for the words "the Lotteries and Gaming Authority", there shall be substituted the words "the Malta Gaming Authority".

Amendment of article 11 of the principal Act.

7. Article 11 of the principal Act shall be amended as follows:

(a) paragraph (n) thereof shall be substituted by the following:

"(n) to enter into bilateral or multilateral agreements or memoranda of understanding with other local or overseas regulatory authorities, or other government agencies, or other entities or organisations, for various matters including but not limited to exchange of information and other forms of collaboration;"; and

(b) immediately after paragraph (n) thereof there shall be added the following new paragraph:

"(o) to request any kind of information from its licensees or prospective licensees, or persons or entities that may be conducting an activity which requires a licence, as it may in its discretion consider necessary:

Provided that licensees shall be bound to comply with such requests and non-compliance shall be an offense

against this Act:

Provided further that prospective licensees shall not be bound to comply with such requests but non-compliance may be taken into account by the Authority in deciding whether or not to award a licence:

Provided further that persons or entities that may be conducting an activity which requires a licence shall not be bound to comply with such requests but non-compliance shall empower the Authority to refer the matter to the Executive Police."

8. Subarticle (2) of article 78 of the principal Act shall be amended as follows:

Amendment of
article 78 of the
principal Act.

(a) in paragraph (n) thereof for the words "or specified gaming devices; and" there shall be substituted the words "or specified gaming devices;"

(b) paragraph (o) thereof shall be renumbered as paragraph (p); and

(c) immediately after paragraph (n) thereof there shall be added the following new paragraph:

"(o) provide for the setting up of a fund, to be styled as the "GamingMalta Fund", to which there shall be credited such percentage of taxes and, or gross fees paid by licensees or specific categories of licensees as may be specified in such regulations and, or other donations and, or contributions of whichever kind and by whichever entity, including but not limited to the Authority, for the purpose of promoting and advancing Malta as a gaming jurisdiction and a centre of excellence for gaming; and".

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Passed by the House of Representatives at Sitting No. 221 of the
10th December, 2014.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives
